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PATENT  
Attorney Docket No.: 021496-002513US  
Client Reference No.: USGI-005-2C

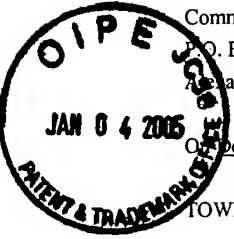
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

On December 17, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: \_\_\_\_\_

Tiffany Wu



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

VAHID SAADAT et al.

Application No.: 10/735,030

Filed: December 12, 2003

For: APPARATUS AND METHODS  
FOR FORMING AND SECURING  
GASTROINTESTINAL TISSUE FOLDS

Examiner: Unassigned

Art Unit: 3762

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign patent documents and non patent literature references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

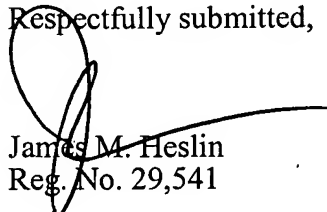
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



James M. Heslin  
Reg. No. 29,541

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60335945 v1



Substitute for form 1449A <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/735,030
		Filing Date	December 12, 2003
		First Named Inventor	SAADAT, VAHID C.
		Art Unit	3762
		Examiner Name	Unassigned
Sheet 1	of 13	Attorney Docket Number	021496-002513US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code <sup>2</sup> (if known)			
	1	616,672	12-27-1898	Kelling	
	2	2,201,610	05-21-1940	Dawson, Jr.	
	3	2,413,142	12-24-1945	Jones et al.	
	4	2,510,198	06-06-1950	Tesmer	
	5	2,533,494	12-12-1950	Mitchell, Jr.	
	6	3,060,972	10-30-1962	Sheldon	
	7	3,096,962	07-09-1963	Meijs	
	8	3,150,379	09-29-1964	Brown	
	9	3,162,214	12-22-1964	Bazinet, Jr.	
	10	3,166,072	01-19-1965	Sullivan, Jr.	
	11	3,168,274	02-02-1965	Street	
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	13	3,494,006	02-10-1970	Brumlik	
	14	3,546,961	12-15-1970	Marton	
	15	3,551,987	01-05-1971	Wilkinson	
	16	3,646,615	03-07-1972	Ness	
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	19	3,858,578	01-07-1975	Milo	
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	21	3,874,388	04-01-1975	King et al.	
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	24	3,974,834	08-17-1976	Kane	
	25	3,976,079	08-24-1976	Samuels et al.	
	26	4,007,743	02-15-1977	Blake	
	27	4,054,128	10-18-1977	Seufert et al.	
	28	4,060,089	11-29-1977	Noiles	
	29	4,069,825	01-24-1978	Akiyama	
	30	4,245,624	01-20-1981	Komiya	
	31	4,366,810	01-04-1983	Slanetz, Jr.	
	32	4,367,746	01-11-1983	Derechinsky	
	33	4,414,720	11-15-1983	Crooms	
	34	4,462,402	07-31-1984	Burgio	
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	36	4,532,926	08-06-1985	O'Holla	
	37	4,534,350	08-13-1985	Golden et al.	
	38	4,548,202	10-22-1985	Duncan	
	39	4,586,503	05-06-1986	Kirsh et al.	
	40	4,592,339	06-03-1986	Kumak et al.	
	41	4,592,356	06-03-1986	Gutierrez	

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60335945 v1

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	42	4,595,007	06-17-1986	Mericle	
	43	4,610,250	09-09-1986	Green	
	44	4,648,733	03-10-1987	Merk	
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	52	4,832,055	05-23-1989	Palestrant	
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	80	5,250,053	10-05-1993	Snyder	
	81	5,251,611	10-12-1993	Zehel et al.	
	82	5,254,126	10-19-1993	Filipi et al.	
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	83	5,261,916	11-16-1993	Engelson	
	84	5,268,001	12-07-1993	Nicholson et al.	
	85	5,282,827	02-01-1994	Kenney et al.	
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	87	5,289,817	03-01-1994	Williams et al.	
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	90	5,304,204	04-19-1994	Bregen	
	91	5,316,543	05-31-1994	Eberbach	
	92	5,327,914	07-12-1994	Shlain	
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	94	5,334,217	08-02-1994	Das	
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	103	5,372,146	12-13-1994	Branch	
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	122	5,458,609	10-17-1995	Gordon et al.	
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			First Named Inventor	SAADAT, VAHID C.	
			Art Unit	3762	
			Examiner Name	Unassigned	
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	125	5,465,894	11-14-1995	Clark et al.	
	126	5,470,337	11-28-1995	Moss	
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	129	5,478,354	12-26-1995	Tovey et al.	
	130	5,480,405	01-02-1996	Yoon	
	131	5,496,332	03-05-1996	Sierra et al.	
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	135	5,507,811	04-16-1996	Koike et al.	
	136	5,520,691	05-28-1996	Branch	
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	139	5,527,321	06-18-1996	Hinchliffe	
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	152	5,571,116	11-05-1996	Bolanos et al.	
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	161	5,601,557	02-11-1997	Hayhurst	
	162	5,603,718	02-18-1997	Xu	
	163	5,613,974	03-25-1997	Andreas et al.	
	164	5,613,975	03-25-1997	Christy	

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	165	5,624,381	04-29-1997	Kieturakis	
	166	5,626,588	05-06-1997	Sauer et al.	
	167	5,626,614	05-06-1997	Hart	
	168	5,630,540	05-20-1997	Blewett	
	169	5,632,752	05-27-1997	Buelna	
	170	5,643,274	07-01-1997	Sander et al.	
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	190	5,707,394	01-13-1998	Miller et al.	
	191	5,709,708	01-20-1998	Thal	
	192	5,713,903	02-03-1998	Sander et al.	
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	198	5,749,828	05-12-1998	Solomon et al.	
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	202	5,766,189	06-16-1998	Matsuno	
	203	5,779,719	07-14-1998	Klein et al.	
	204	5,782,859	07-21-1998	Nicholas et al.	
	205	5,782,865	07-21-1998	Grotz	

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60335945 v1



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			Filing Date	December 12, 2003
			First Named Inventor	SAADAT, VAHID C.
			Art Unit	3762
Examiner Name	Unassigned			
Sheet <b>7</b>	of <b>13</b>	Attorney Docket Number	021496-002513US	

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60335945 v1

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			Art Unit	3762	
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			Art Unit	3762	
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60335945 v1

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Sheet	11	of	13		

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	441	WO	00/57796	A1	10-05-2000	Rosenblatt		<input type="checkbox"/>
	442	WO	00/78227	A1	12-28-2000	Laufer et al.		<input type="checkbox"/>
	443	WO	00/78229	A1	12-28-2000	Laufer et al.		<input type="checkbox"/>
	444	WO	01/21246	A1	03-26-2001	Matsuura et al.		<input type="checkbox"/>
	445	WO	01/66001	A2	09-13-2001	Gambale et al.		<input type="checkbox"/>
Examiner Signature					Date Considered			

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			Application Number	10/735,030
			Filing Date	December 12, 2003
			First Named Inventor	SAADAT, VAHID C.
			Art Unit	3762
			Examiner Name	Unassigned
Sheet <b>12</b>	of	<b>13</b>	Attorney Docket Number	021496-002513US

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	† <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	446	WO	01/66018	A1	09-13-2001	Gambale et al.		<input type="checkbox"/>
	447	WO	01/67964	A3	09-20-2001	Sonnenschein et al.		<input type="checkbox"/>
	448	WO	01/70096	A1	09-27-2001	Butler et al.		<input type="checkbox"/>
	449	WO	01/70097	A1	09-27-2001	Butler		<input type="checkbox"/>
	450	WO	01/85034	A1	11-15-2001	Geitz		<input type="checkbox"/>
	451	WO	01/87144	A1	11-22-2001	Page et al.		<input type="checkbox"/>
	452	WO	01/89370	A2	11-29-2001	Lehman et al.		<input type="checkbox"/>
	453	WO	01/89392	A2	11-29-2001	Jacobs et al.		<input type="checkbox"/>
	454	WO	01/89393	A1	11-29-2001	Gambale		<input type="checkbox"/>
	455	WO	02/00119	A2	01-03-2002	Harvie et al.		<input type="checkbox"/>
	456	WO	02/24080	A2	03-28-2002	Schurr et al.		<input type="checkbox"/>
	457	WO	02/024058	A2	03-28-2002	Sonnenschein et al.		<input type="checkbox"/>
	458	WO	02/024058	A3	03-28-2002	Sonnenschein et al.		<input type="checkbox"/>
	459	WO	02/39880	A2	05-23-2002	McClellan et al.		<input type="checkbox"/>
	460	WO	02/39909	A1	05-23-2002	Sonnenschein et al.		<input type="checkbox"/>
	461	WO	02/064012	A2	08-22-2002	Buehlmann et al.		<input type="checkbox"/>
	462	WO	02/068988	A1	09-06-2002	Sonnenschein		<input type="checkbox"/>
	463	WO	02/069841	A2	09-12-2002	Bonadio et al.		<input type="checkbox"/>
	464	WO	02/085252	A1	10-31-2002	Hlavka et al.		<input type="checkbox"/>
	465	WO	02/094105	A2	11-28-2002	Adams		<input type="checkbox"/>
	466	WO	03/007796	A2	01-30-2003	Laufer et al.		<input type="checkbox"/>
	467	WO	03/007799	A2	01-30-2003	Ritchart		<input type="checkbox"/>
	468	WO	03/090633	A2	11-06-2003	Kortenbach et al.		<input type="checkbox"/>
	469	WO	03/096909	A1	11-27-2003	DiCarlo et al.		<input type="checkbox"/>
	470	WO	03/099137	A2	12-04-2003	Cerier et al.		<input type="checkbox"/>
	471	WO	2004/004544	A2	01-14-2004	Deem et al.		<input type="checkbox"/>
	472	WO	2004/019787	A2	03-11-2004	Devries et al.		<input type="checkbox"/>
	473	WO	2004/019788	A2	03-11-2004	Devries et al.		<input type="checkbox"/>
	474	WO	2004/021865	A2	03-18-2004	Zirps et al.		<input type="checkbox"/>
	475	WO	2004/021867	A2	03-18-2004	Zirps et al.		<input type="checkbox"/>
	476	WO	2004/021868	A2	03-18-2004	Zirps et al.		<input type="checkbox"/>
	477	WO	2004/021873	A2	03-18-2004	Aznoian et al.		<input type="checkbox"/>
	478	WO	2004/021894	A1	03-18-2004	Stone		<input type="checkbox"/>
	479	WO	2004/049905	A2	06-17-2004	Tartaglia et al.		<input type="checkbox"/>
	480	WO	2004/071284	A1	08-26-2004	Mikkaichi et al.		<input type="checkbox"/>
	481	WO	2004/075787	A1	09-10-2004	Beulke et al.		<input type="checkbox"/>
	482	WO	2004/080313	A1	09-23-2004	Chu et al.		<input type="checkbox"/>
	483	WO	2004/084702	A2	10-07-2004	Whitin et al.		<input type="checkbox"/>

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			Application Number	10/735,030	
			Filing Date	December 12, 2003	
			First Named Inventor	SAADAT, VAHID C.	
			Art Unit	3762	
			Examiner Name	Unassigned	
Sheet	13	of	13	Attorney Docket Number	021496-002513US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	484	ANGIOLINK, The Expanding Vascular Staple [brochure], 1 page total.	
	485	BLUETT et al., "Experimental Evaluation of Staple Lines in Gastric Surgery," <i>Arch. Surg.</i> , vol. 122, July 1987, pp. 772-776.	
	486	BROLIN et al., "Experimental Evaluation of Techniques of Gastric Partitioning for Morbid Obesity", <i>Surgery, Gynecology &amp; Obstetrics</i> , vol. 153, Dec. 1981, pp. 878-882	
	487	JOHNSTON et al. "The Magenstrasse and Mill Operation of Morbid Obesity", <i>Obesity Surgery</i> 13, 2003, pp. 10-16.	
	488	OKUDAIRA et al., "The Healing and Tensile Strength of the Gastroplasty Staple Line," <i>The American Surgeon</i> , Oct. 1984, pp.564-568.	
	489	SURGICAL DYNAMICS INC., The S D sorb Meniscal Stapler [brochure] (1997), 3 pages total.	
	490	SUTURA, The Next Generation in Vascular Suturing Devices: SuperStitch [brochure], 2 pages total.	

Examiner Signature		Date Considered	
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